

## *St. Louis City Ordinance 64436*

FLOOR SUBSTITUTE

BOARD BILL NO. [98] 94

INTRODUCED BY ALDERMAN NANCY WEBER

An ordinance recommended by the Board of Public Service; amending ordinance 59197; extending the expiration date of the term of the cable television franchise granted by Ordinance 59197 to STL Cablevision Partners for a certain area in the City from July 18, 1999 to October 18, 1999, so that such franchise will expire on the same date as the franchise granted by Ordinance 59197 to Saint Louis City Communications Company, thereby facilitating the process for renewing or amending such cable television franchises, or awarding one or more new, subsequent, cable television franchises.

WHEREAS, in 1984 in Ordinance 59197 the City awarded two fifteen-year cable television franchises, one to STL Cablevision Partners and the other to St. Louis City Communications, Inc., for defined areas in the City; and

WHEREAS, under Ordinance 59197 such franchises did not become effective until various conditions were complied with by the grantees of the franchises; and

WHEREAS, the effective date of the STL Cablevision Partners franchise was July 18, 1984, so that such franchise will expire on July 18, 1999; and

WHEREAS, the effective date of the St. Louis City Communications, Inc. franchise was October 18, 1984, so that such franchise will expire on October 18, 1999; and

WHEREAS, pursuant to Ordinance 61093, effective January 3, 1989, both cable television franchises, with their respective original expiration dates, were transferred to St. Louis TeleCommunications, Inc.; and

WHEREAS, federal law provides time frames for proceedings for the renewal or amendment of expiring cable television franchises, or the award of new franchises; and

WHEREAS, compliance with such time frames will be simplified for the City if both cable television franchises expire at the same time; and

WHEREAS, this ordinance has been recommended by the Board of Public Service;

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ordinance 59197 is hereby amended by adding one new section thereto, to read as follows:

Section Thirty-Eight. Notwithstanding the provisions of any ordinance to the contrary, including but not limited to Section 5 of Ordinance 59197 (Section 8.29A.050E, City Code), the cable television franchise awarded to STL Cablevision Partners, which franchise is now held by St. Louis TeleCommunications, Inc., shall expire on October 18, 1999, if St. Louis TeleCommunications, Inc. executes an Acceptance of this ordinance in the form hereinafter set out. The agreement of St. Louis TeleCommunications, Inc. to the cable television franchise extension provided for in this section shall be evidenced by its execution of an Acceptance, in substantially the following form, with such changes as may be approved by the City

Counselor:

Acceptance

St. Louis TeleCommunications, Inc. a Missouri corporation, hereby accepts the extension provided for by St. Louis City Ordinance \_\_\_\_\_ (B.B. #\_\_\_\_) from July 18, 1999 to October 18, 1999 of the expiration date of the cable television franchise awarded to STL Cablevision Partners by St. Louis City Ordinance 59197, which franchise was subsequently transferred to St. Louis

TeleCommunications, Inc. under St. Louis City Ordinance 61093. St. Louis TeleCommunications, Inc. agrees and acknowledges that such extension shall not be deemed to be a renewal of such cable television franchise.

St. Louis TeleCommunications, Inc.

BY:\_\_\_\_\_

Date:\_\_\_\_\_

SECTION TWO. The franchise expiration date extension provided for by this Ordinance shall not expand or limit the rights of either party, create new rights or obligations that would not have existed without the extension, or adversely affect either party's rights in any renewal proceeding. By way of example, and not limitation, the extension does not require the company to make any request

for renewal or render any request made previously void, nor can it result in the City's being required to recommence renewal proceedings.

<b>Legislative History</b>				
<b>1ST READING</b>	<b>REF TO COMM</b>	<b>COMMITTEE</b>	<b>COMM SUB</b>	<b>COMM AMEND</b>
<b>06/26/98</b>	<b>06/26/98</b>	<b>PU</b>		
<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>PERFECTN</b>	<b>PASSAGE</b>
<b>07/10/98</b>			<b>07/17/98</b>	<b>07/17/98</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>	
<b>64436</b>				